

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

February 18, 1981

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, February 18, 1981 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - Hughes, McCarty, Murphy,
and Katnich (Mayor)

Absent: Councilmen - Pinkerton

Also

Present: Assistant City Manager Glenn, Community
Development Director Schroeder, Public
Works Director Ronsko, City Attorney
Stein, and City Clerk Reimche

INVOCATION

The invocation was given by Chaplain Wayne
Kildall, Center of Hope.

PROCLAMATIONS

Mayor Katnich presented the following procla-
mations:

"Engineer's Week" - received by Steve Lake,
George Revoir, and Glen Baumbach

"Center of Hope Week" - Received by Chaplain
Kildall

PLANNING
COMMISSION

Assistant City Manager Glenn gave the following
report of the Planning Commission Meeting of
February 9, 1981:

The Planning Commission -

AMENDMENTS TO
CITY'S
CONDOMINIUM
CONVERSION
ORDINANCE

Recommended amendments to the City's Condominium
Conversion Ordinance which will bring it in to
conformance with recent changes in the State law.

Council was apprised that this matter will be
discussed under item "h" of this meeting's
agenda.

The Planning Commission -

LAND USE ELEMENT
OR GENERAL PLAN
AND REZONING

515 - 721 W.
KETTLEMAN
LANE AND 1336
SOUTH CRESCENT
AVENUE

- a) Recommended approval of the request of Chris Katopothis et al to amend the Land Use Element of the General Plan by redesignating 515-721 West Kettleman Lane and 1336 South Crescent Avenue from Medium Density Residential to Office-Institutional.
- b) Recommended approval of the request of Chris Katopothis, et al to rezone 515-721 West Kettleman Lane and 1336 South Crescent Avenue from R-MD, Medium Density Multiple Family Residential to R-C-P. Residential, Commercial, Professional.
- c) Certified the filing of a Negative Declaration by the Community Development Director on the above requests of Chris Katopothis, et al as adequate environmental documentation.

On motion of Mayor Pro Tempore McCarty, Murphy second, items "a, b, and c", heretofore set

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forth were set for public hearing on March 4, 1981 at 8:00 p.m.

The Planning Commission also -

ITEMS OF
INTEREST

1. Approved the request of Max Stone to extend the expiration date of the Tentative Map of Lakewood Mall until September 24, 1982.
2. Conditionally approved the Revised Tentative Map of Lake Shore Village, Unit #1 which is located on the south side of West Kettleman Lane, west of the Woodbridge Irrigation District right-of-way.
3. Took no action on the referral by the San Joaquin County Planning Commission to rezone 4+ acres located between Thornton Road and Interstate 5, 800 feet south of State Route 12 from GA-5, General Agriculture to H-5, Highway Service.
4. Took no action on the referral by the San Joaquin County Planning Commission of the request of Spink Corporation on behalf of William L. Miller for a Use Permit to develop a commercial-recreational complex on the north side of Liberty Road between State Route 99 and Lower Sacramento Road.

COMMUNICATIONS

LODI AMBULANCE
SERVICE REQUESTS
RATE INCREASE

City Clerk Reimche presented a letter dated February 10, 1981 from the Lodi Ambulance Service requesting a rate increase.

Following a lengthy Council discussion with questions being directed to Mr. Perry D. Schimke, Controller of the Company, Mayor Katnich asked that Mayor Pro Tempore McCarty meet with representatives of the Company regarding their request and report back to the Council at its next regular meeting (March 4, 1981) regarding this matter.

CHANGES RE
SAN JOAQUIN
LOCAL HEALTH
DISTRICT
SERVICES &
FEES

City Clerk Reimche presented a letter which had been received from the San Joaquin Local Health District regarding proposed changes in rules and regulations for the implementation of environmental health fees and service charges. Copies of the proposed fees were presented for Council's perusal.

1970-80
AUDIT

The City Clerk presented a reply which had been received regarding the Council's inquiry addressed to David T. Christensen of Ernst and Whinney regarding the delay in receiving the F.Y. 1979-80 Audit. Council was also apprised that the Management Letter for this Audit had just been received and it was presented to Council for review. At the direction of Mayor Katnich, the City Clerk was asked to agenda this item for the February 24, 1981 Informal Informational Meeting of the Council.

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MEETING RE
SCHOOL IMPACTION

The City Clerk presented a letter which had been received from San Joaquin County Supervisor George Barber asking that the City send a representative to attend the February 23, 1981 meeting on School Impaction to be held at 3:00 p.m. in the Chambers of the Board of Supervisors on Monday, February 23, 1981.

Mayor Katnich indicated that Councilman Robert Murphy would represent the Council at this meeting and asked the City Clerk to advise Supervisor Barber of this fact.

ABC LICENSE

An application for Alcoholic Beverage License was presented which had been received on behalf of Ruthwan Ashaif and Fuad Bu Mura, Lodi Avenue Liquors - Off-Sale General License - Person to Person transfer.

LETTER RECEIVED
OPPOSING BUS
SERVICE

The City Clerk presented a letter from a citizen requesting that they not be named, opposing the proposed fixed route bus service within the City of Lodi. Mayor Pro Tempore McCarty addressed the Council concerning the matter, indicating that it was not the Council's intent to do away with Dial-A-Ride and responding to other points made in the letter.

PUC APPLICATION

Council was apprised that the City was in receipt of PUC Application No. 60225 - Pacific Gas and Electric Company requesting authorization to increase their electric rates and charges related to energy costs effective April 1, 1981. Staff responded to questions concerning this item as were posed by Councilman Murphy.

REQUEST FOR
4-WAY STOP
AT INTERSECTION
OF WEST TOKAY

The City Clerk presented a letter which had been received from Robert B. Sternfels of Bainbridge and Sternfels on behalf of the Tokay Professional Building, requesting that a four-way stop intersection be established at the intersection of West Tokay and Fairmont Street. Mayor Katnich referred the matter to Public Works for investigation and report.

LETTER RECEIVED
RE THE ANNEXATION
OF BATCH ADDITION

City Clerk Reimche presented a copy of a letter written by C.M. Sullivan of Litts, Mullen et al and addressed to the Local Agency Formation Commission advising that application is hereby made pursuant to Government Code Section 56275 for reconsideration of the action taken by LAFCO in Resolution No. 493, disapproving the Batch reorganization. The letter goes on to say that "we request that the Commission at its next meeting, delay action on this request until some convenient time after the meeting scheduled to explore ways to solve overcrowding in the Lodi Unified School District". The reasons for this application were listed in detail.

COMMENTS BY
CITY COUNCILMEN

Mayor Pro Tempore McCarty asked if any additional information had been received from "our" legislators regarding the American River and was advised nothing further had been received.

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TERMINATION OF
MULTI-LINGUAL
VOTING
REQUIREMENTS
URGED

Following introduction of the matter by Councilman Robert Murphy, the City Clerk was directed to correspond with Federal Legislators requesting the termination of multi-lingual voting requirements as mandated under the 1975 Amendments to the Voting Rights Act on motion of Councilman Murphy, Hughes second. The motion carried by unanimous vote.

REPORTS OF THE
CITY MANAGER

In accordance with report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Mayor Pro Tempore McCarty, Murphy second, were approved by Council:

CONSENT CALENDAR

* * * * *

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$1,800,573.29.

ACCEPTANCE OF
203 HOUSTON
LANE DEVELOPMENT

RES. NO. 81-17

Council was apprised that the Development improvements at 203 Houston Lane have been completed in substantial conformance with the requirements of the Development Agreement between the City of Lodi and Alton and Dione Brinlee, dated February 18, 1981 and as specifically set forth in the plans and specifications approved by the City Council.

On recommendation of the City Manager, Council adopted the following resolution:

RESOLUTION NO. 81-17

RESOLUTION ACCEPTING THE IMPROVEMENTS AND STREET AT 203 HOUSTON LANE

ACCEPTANCE OF
"WELL #19 PUMP
& MOTOR"

Council was apprised that the contract for "Well #19 Pump and Motor" which had been awarded to Western Well Drilling of San Jose on October 27, 1980 in the amount of \$21,335.00 has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "WELL 19 PUMP AND MOTOR" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

PLANS AND SPECS
FOR WELL 19 SITE
IMPROVEMENTS
APPROVED

The plans and specifications for "Well 19 Site Improvements" were presented for Council's perusal. In general, the work consists of constructing approximately 200 lineal feet of wall, commercial driveway and necessary storm drain facilities.

COUNCIL APPROVED THE PLANS AND SPECIFICATIONS FOR "WELL #19 SITE IMPROVEMENTS" AND AUTHORIZED THE CITY CLERK TO ADVERTISE FOR BIDS THEREON.

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PROGRAM
SUPPLEMENT TO
CITY/STATE
AGREEMENT
REGARDING LODI
AVENUE RAILROAD
CROSSING
PROTECTION
APPROVED

RES. NO. 81-18

Council was informed that in order to properly protect traffic on Lodi Avenue, it was determined that it would be necessary to install an interconnection between the signals at the Southern Pacific Railroad Tracks and the California Trac-tion Company tracks. The City will be responsible for 10% of the cost of this interconnection, and TDA Funds have been allocated to match the Federal Funds needed for this project. It is estimated that the City's portion will be \$2,225.

On recommendation of the City Manager, Council adopted the following resolution:

RESOLUTION NO. 81-18

RESOLUTION APPROVING THE SUPPLEMENT TO THE CITY/STATE AGREEMENT REGARDING LODI AVENUE RAILROAD CROSSING PROTECTION AND AUTHORIZING THE CITY MANAGER AND CITY CLERK TO EXECUTE THE SUBJECT AGREEMENT ON BEHALF OF THE CITY

Council was apprised that approximately one year ago, Mr. Don L. Carpenter filed a parcel map with one of the conditions being the improvement of Church Street adjacent thereto. Mr. Carpenter placed a bond with the City guaranteeing these improvements with the expectation that the property in the general area would be improved during the summer of 1980. The Lodi South Subdivision did not materialize, nor did the improvement of any other property in the area. If Mr. Carpenter installed curb and gutter, it would not only be expensive, but would create a drainage problem. For these reasons, Staff recommended that Mr. Carpenter be allowed to enter into an agreement with the City guaranteeing the improvements without bond, similar to several other agreements approved recently where development of one parcel was not deemed in the best interest of the City.

AGREEMENT - 1904
S. CHURCH STREET,
LODI APPROVED

COUNCIL APPROVED AN AGREEMENT BETWEEN THE CITY OF LODI AND DON L. CARPENTER FOR THE IMPROVEMENT OF HIS PARCEL AT 1904 S. CHURCH STREET AND AUTHORIZED THE CITY MANAGER AND CITY CLERK TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY

REQUEST FOR
LOADING ZONE
GROSS
CONVALESCENT
HOME

Council received a letter which had been addressed to the Public Works Department from Reverend Oscar Gross, Administrator, Gross Convalescent Hospital requesting a permit for a loading zone at 321 W. Turner Road in front of the convalescent hospital permitting delivery of supplies to the facility uninterrupted by other vehicles which are using their space for their parking needs. Heavy semi-trucks are often causing a complete block to viewing from inside the dining and living rooms. Photo prints depicting the problem were presented for Council's perusal.

It was Staff's recommendation that the request be denied as Staff indicated that it appears that adequate room for offsite loading of supplies for the rest home is available onsite, and the installation of a loading zone will preclude the use of this street frontage by visitors and other in the area for 24 hours a day when the apparent benefit to the rest home is marginal.

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Historically, according to Staff, the City has attempted to limit loading zones, particularly for single use areas, partly because of the precedence setting of such approvals. It is realized that the view problem is one the City has in many areas of town on occasion, but controlling it with a loading zone seems a misuse. The public street is for public use and while parking of commercial vehicles in the area may be detrimental to the rest home on occasion, the establishment of numerous loading zones to be even more detrimental to the public as a whole.

A very lengthy discussion followed with questions being directed to Staff and to Reverend Gross who was in the audience and who addressed the Council concerning his request.

Council tacitly concurred to defer action on this item to allow time for Staff to further investigate the matter and to contact trucking companies within the area asking for their cooperation in resolving this problem.

ORD. AMENDING
CITY'S
CONDOMINIUM
CONVERSION ORD.

Following introduction of the matter by City Attorney Stein, on motion of Councilman Hughes, Murphy second, Council introduced Ordinance No. 1222 amending the City's Condominium Conversion Ordinance, bringing the ordinance into conformance with recent changes in the State law. The motion carried by unanimous vote.

ORD. NO. 1222
INTRO.

SALAS PARK
SPRINKLERS
& TURFING
CONTRACT

Council was reminded that it had at the February 4, 1981 meeting approved payment of \$29,031.52 for material purchased under the Salas Park Sprinklers and Turfing Contract because of the delay in allowing the contractor to start work. The actual cost of the materials is \$40,801.72, but because of an arithmetical error by the contractor and a transposition error, approval was requested only for \$29,031.52.

On motion of Councilman Murphy, McCarty second, Council approved an additional purchase of supplies from Nor Mac, Inc., for the Salas Park Sprinklers and Turfing Contract in the amount of \$40,801.72 in lieu of the \$29,031.52 approved earlier.

AMENDED FEE
SCHEDULES APPROVED
FOR RECREATION
DEPARTMENT

It was reported that the Ad Hoc Committee consisting of Mayor Katnich, Mayor Pro Tempore McCarty and Parks and Recreation Department Director DeBenedetti had met and reviewed suggested increases in softball and basketball entry fees for 1981, which was recommended by the Commission for Recreation and Parks.

RES. NO. 81-15

Mayor Pro Tempore McCarty addressed the Council regarding the various programs and the fee schedule being proposed.

On motion of Councilman Hughes, Murphy second, Council adopted Resolution No. 81-15 adopting an amended fee schedule for softball and basketball entry fees for 1981 as presented.

SPECIAL
ALLOCATION FOR
AUTOMATIC
SPRINKLER
SYSTEM
FOR CARNEGIE
LIBRARY
APPROVED

Council was apprised that the Carnegie Library Site which does not have an automatic sprinkler system was maintained by the Parks and Recreation Department, watering the grounds was accomplished by the custodian assigned to the Library. In 1979 the City Hall Complex grounds, which includes the Carnegie Library Site, were contracted for

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maintenance. The City's maintenance contractor is not responsible for watering of the grounds. The manual watering is currently being done by Public Works Personnel and is costing approximately \$800 - \$1,000 per year. Following discussion, on motion of Mayor Pro Tempore McCarty, Murphy second, Council approved a Special Allocation in the amount of \$2150.00 for conversion of the Carnegie Library manual sprinkler system to automatic sprinkler system.

PRIORITY PLAN
FOR EXPENDITURE
UNDER PROVISIONS
OF CALIFORNIA
PARKLANDS ACT
OF 1980
APPROVED

RES. NO. 81-16

Assistant City Manager Glenn reported that a letter had been received from Gene W. Andal, Director, Department of Parks and Recreation, San Joaquin County advising that pursuant to the meeting on February 4, 1981 regarding the method of distributing Proposition 1 (1980 Park Bond Act) funds, the City representatives in attendance generally approved what was described as the "1976 Method" used in the 1976 Park Bond Act which would allow for -

- 1) A minimum of \$25,000 to each Ripon and Escalon
- 2) The County's population would be based on the unincorporated population within the County.
- 3) The cities and the County would receive funds on a per capita basis according to the 1980 population census figures.

Under this method of distribution, each agency would receive the following amounts:

| | |
|-----------------------|-----------------------|
| City of Stockton | \$481,687.24 (43.66%) |
| County of San Joaquin | 360,879.29 (32.71%) |
| City of Lodi | 117,056.84 (10.61%) |
| City of Manteca | 82,634.85 (7.49%) |
| City of Tracy | 61,010.78 (5.53%) |
| City of Escalon | 25,000.00 |
| City of Ripon | 25,000.00 |
| TOTAL | \$1,153,269.00 |

Following Council discussion, Council, on motion of Councilman Murphy, Katnich second, adopted Resolution No. 81-16, approving the Priority Plan for Expenditure Under Provision of the California Parklands Act of 1980 as heretofore set forth.

COUNTY-WIDE
AUTOMATED
WARRANT SYSTEM
PARTICIPATION
APPROVED

Council was apprised that a county-wide warrant system to provide an automated repository for arrest warrants has been developed by the County Clerk's Office and the County Data Processing staff. This project primarily funded through an LEAA Grant is available to all courts and law enforcement agencies in San Joaquin County. The County-wide Warrant System would provide for a logical and systematic flow of events from the input of the warrant, through storage and random accessing, and finally to the clearance of the warrant. The basic components of the system include the following:

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- a) On-line input of local and foreign warrants
- b) On-line inquiry capability
- c) On-line control and issuance of abstracts
- d) Maintenance of records for attempted service
- e) Off-line reports of warrants
- f) Statistical reporting
- g) Clearance of Warrant

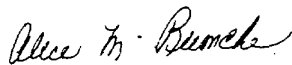
The projected date of implementation would not be until after F.Y. 82.

Following discussion, on motion of Councilman Hughes, McCarty second, Council approved the City's participation in the County-Wide Automated Warrant System.

ADJOURNMENT

There being no further business to come before the Council, Mayor Katnich adjourned the meeting at approximately 9:35 p.m.

Attest:


ALICE M. REIMCHE
City Clerk